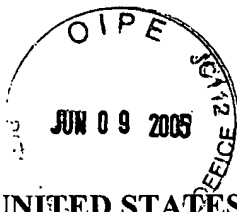


Customer No. 35745

Docket No.:100405-16370



Afst
Zhu

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Massey et al.
Serial No: 10/007,526
Filed: December 5, 2001
Group Art Unit: Ceperley, Mary
Examiner: 1641
Title: GRAPHIC NANOTUBES IN LUMINESCENCE ASSAYS

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on June 6, 2005.

Signature:

Aaron S. Haleva, Reg. No. 44,733

Sir:

NOTICE OF APPEAL

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Final Office Action mailed December 5, 2005, rejecting claims 19-41.

A Request for Two-Month Extension was filed concurrently with submission of the Amendment After Final Rejection, along with the required fee of \$450.00 for a large entity. As this Notice of Appeal is being submitted on June 6 (June 5 was a Sunday), a third-month extension is thus requested. Accordingly, please deduct \$570.00 (being the difference of the

06/10/2005 MAHMED1 00000044 500540 10007526

01 FC:1253 570.00 DA

three-month extension fee of \$1,020.00 and the two-month extension fee of \$450.00 previously paid) from Deposit Account No. 05-0540. A duplicate copy of this Notice is enclosed.

Respectfully submitted,

Dated: June 6, 2005

By: 

Aaron S. Haleva

Reg. No. 44,733

KRAMER, LEVIN, NAFTALIS &
FRANKEL

1177 Ave. of the Americas

New York, N.Y. 10036

Tel. No.: (212) 715-9100

Fax. No.: (212) 715-8000